3: Krige E-9 (1928-1938)1938 FX14 Lovedu FX14

Highveld. When, after many private consultations with diviners, a man decides to make an accusation of witchcraft, he and the accused will *betsha* or lay a wager of money or cattle on the matter, after which, accompanied by a witness, the 'ears of the chief', supplied by the Head Kraal, they set out to consult a far-away smeller-out, nearly always a Shangana-Tonga who lives too far to know anything of the people concerned. Unless the smeller-out is able to give the totems of all members of the party and successfully find an object that has been hidden beforehand, they will pass on to another until some one suitable is found. The verdict of the smeller-out is taken to court where it is always accepted and the guilty party told to pay his wager, the modern counterpart of the death penalty of old. A distinction between murder and accidental homicide is everywhere found in the Lowveld, punishment for the latter being the handing over of a girl to the injured family. She never returns home, nor does any bride-price pass.

Bantu etiquette, which makes it impossible for a case to be reported to the chief except through a third party, generally among other Sotho tribes one or two specially appointed men, has in the Lowveld given rise to a rather more complicated system whereby each district has its 'mother' at the Head Kraal, through whom reports are made and actions brought. Where a person in one district has a case at the Head Kraal against some one in another district, the 'mother' of the complainant's district will approach the 'mother' of defendant's district to call his 'children' to the court, and various payments are connected with the system. Most of the important men living at or near the Head Kraal are such 'mothers', many having more than one district in their charge.

FAMILY AND CLAN. There is among Lowveld Sotho no term distinguishing the father's from the mother's side of the family, the word *malala* being used to denote all relatives whether on the father's side or the mother's; and in practice, whether at weddings or at working parties, both sets of relatives play an equally important, if sometimes different, part. A man inherits his totem and family name from his father, but in his education and social life his mother's people have great influence. Most children spend some years of their life with the

4: Krige and Krige E-5 (1928-1939)1954
FX14 Lovedu FX14

A sister's cattle-providing capacity gives her a pivotal position in the social structure. It is the cattle accruing from her marriage that 'build' a house for her brother and 'beget' children to her lineage. Over this house she has rights that can be legally and mystically enforced. She settles disputes in it, and distributes its possessions when its owner dies. She invokes the gods on its behalf; no one, not even her brother himself (the husband and head of the house), can ill treat the wife of this house without having to reckon with her, and any breach of the marriage relationship is void without her consent. It will be evident that no judgement of the Lovedu courts in regard to a marriage has much chance of being carried out without the assistance and co-operation of this sister. For this and other reasons women are prominent as intermediaries and conciliators in the society. It should also be no surprise that any woman may marry wives, whose children call her 'father'; that many women are kraal heads and some of them the most important districts heads in the country. As chief officiators in offerings and sacrifice women play an important role also in religion.

Structurally the agnatic group, of which the cattle-linked brother is a member, is a minor lineage three to four generations deep, which supplies wives to the lineage into which his sister has married. The obligations of providing wives on the one hand and returning cattle on the other cannot, indeed, be enforced beyond the actual houses concerned and their lineal descendants, but the relationships of reciprocity and the behaviour patterns of helpfulness on the part of the wife-receivers, and of honouring and periodically bringing beer on the part of the wife-providers, are usually extended beyond these houses to the whole minor lineage and, where the relationships have been long established and are kept alive as part of the political structure, they may embrace major lineages five to eight generations deep. The wife-providers are called either maternal uncles (*nomalome*), since a man's mother's brother (*malume*) is ideally his wife's father, or grandparents (*nomakhale*), since his maternal grandfather is the male representative of his wife's agnatic group (being her paternal grandfather). Conversely, the wife-receivers are called either sons-in-law (*outsi*), because the lineage into which a man's sister marries is also the lineage into which his daughter marries, or *ngkhale* (grandchildren or sister's sons), a man's sister's son being the same person as his daughter's husband or his father's granddaughter. It should be noted that, even though these wife-providing and wife-receiving lineages are related through marriage, the relationships between them are not merely affinal. The wife-providers and wife-receivers are not merely brothers-in-law but also cognates—wife-providers being maternal uncles and grandparents, and wife-receivers being children of paternal aunts, sisters, or daughters. A man's maternal kin are also his affines, while the maternal kin and several affines are merged with the paternal kin.

This merging of various types of kin is perhaps the reason why all four lines of kin—father's father, father's mother, mother's father, mother's

S:Krige E-5 (1936-1938, 1961-1962) 1964
FX14 Lovedu FX14

provide a bride, whether for a brother or other relative or even a stranger, has a moral right to a daughter-in-law from the 'house' established by her cattle. Even though it was her husband who provided the cattle and it is usually he who is said to be 'following the tracks of his cattle' when such a girl is obtained for his son, the wife's right to the services of the girl are such that even if the husband himself, instead of the son, were to marry this girl (which quite often is the case, i.e., wife's brother's daughter marriage) this bride would be attached to her house and would cook for her as though she were the mother-in-law.

So strong is a woman's moral right to her cattle-linked brother's daughter to come and cook for her in her old age that even if she has no son she can, especially if her husband is dead, 'marry' the girl herself, using a daughter's bride-price. The Lobedu themselves phrase it as marriage of a woman to a woman. In reality it is in this case the marriage of a girl to a fictitious son of the woman who is said to be marrying her. Such a bride is called *mapi* (daughter-in-law) by the woman, who is 'grandmother', to any children born to the girl. The children take the surname of the husband of the woman just as though her son had married the girl. A woman who practises as a doctor and earns money can marry a girl with her own cattle. Here too the children (whether by an allocated man or born 'in the bush') take the lineage name of the husband of the woman who 'married' their mother. They are of his lineage but belong essentially to the 'house' (*muzha*) of the woman who married their mother.

A woman may also 'marry' a girl on behalf of her own lineage —for a deceased or non-existent brother. This is done where an heir is needed or where a brother has died before marrying the girl who was 'born for' or engaged to him as in the case of Thepise in Figure 1.

It is the source of the cattle that pass which determines the lineage to which the children belong in woman-marriage. Should the cattle come from the 'house' of a married woman the children belong to the husband's lineage; if they come from the family of procreation of the woman the children take her father's surname. The queen and women who rule districts on behalf of a deceased or non-existent brother are called 'husband'

5:Krige E-5 (1936-1938,1961-1962) 1964
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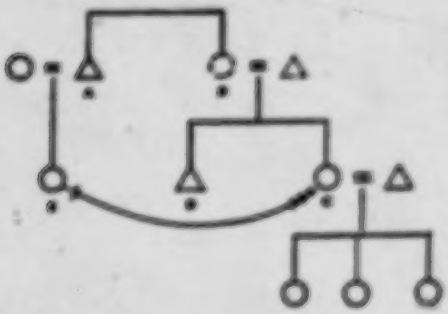

△○ SIBLING
⟷ MOVEMENT OF A WOMAN IN MARRIAGE

FIG. 1. Case illustrating 'marriage' of a woman to a woman.

Thepise's father (A) was the cattle-linked, uterine brother of (B) the mother of Mandike (C), a married woman with children. Mandike's brother (D), whose parents were dead, had been engaged to Thepise (E), his mother's brother's daughter, and cattle had already passed when he, too, died. So Thepise's father (A) took his daughter (E) to Mandike (C), and said: 'Take Thepise and "stay" with her'. So, as it was phrased, Mandike 'married' Thepise (*o ne hekile*), who came to live in Mandike's husband's village. Mandike (C) called Thepise (E) not '*mafi*' (daughter-in-law) but '*mahadike*' (sister-in-law); E's children called C '*rakhadi*' (father's sister) and took her father's surname.

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(*mowa wa ka*) by their 'wives' *katanani* when they marry on behalf of their own lineage and *papa* (father) by the children of these wives, just as though they were men. In ritual matters, however, they act as women.

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Preferential marriage with the mother's brother's daughter appears in the Lobedu context almost to follow from relationships established by the cattle that pass and the rights of the sister to a daughter-in-law from whoever has used her marriage cattle. Yet it is not always from the identical 'house' that was established by the cattle that a daughter is sent in marriage, nor necessarily by the same brother as used the cattle. Maseriba's

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bride-price was used by her brother Andrew. Thirty years later (1961) when she went to ask for a girl to 'come and stamp for her' (she is a widow and has no sons) it was the daughter of Batsonodi, her other uterine brother, that was offered. When